

HON'BLE SRI JUSTICE P.S. NARAYANA

-
W.P.No.16017 of 2006

-
Dated: 1st August 2006

-
Between:

Smt Vituri Anuradha W/o Venkatramulu
Aged 35 years, R/o Banapoor village
Lingampet Mandal, Nizamabad District

... Petitioner

And:

The State Election Commission, rep. By its
Secretary, Budha Bhavan, Secunderabad &
3 others

... Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

-
W.P.No.16017 of 2006

-
ORDER:

-
Heard the learned counsel.

This writ petition is filed to issue a writ of mandamus declaring the action of the respondents in refusing the nomination of the petitioner for contesting the ensuing elections from Ward No.7 of Banapur village, Lingampet Mandal, Nizamabad District and further declare that the impugned order No.A5/920/2006, dated 22.7.2006 passed by 3rd respondent, as illegal, arbitrary and violative of Articles 19,21 and 300-A of the Constitution of India, and consequently direct the respondents to permit the petitioner to contest in the ensuing elections from Ward No.7 of Banapur village, Lingampet Mandal, Nizamabad District and pass such other suitable orders.

Several factual details had been narrated in the affidavit filed in support of the petition. It is stated in the affidavit that the nomination was rejected by the Returning Officer on the ground that the petitioner's age is shown as 19 years in the voters list which is under age for contesting elections. It is also stated that against the rejection, the petitioner preferred an appeal before the Revenue Divisional Officer, Kamareddy and the appellate authority without verification and without looking into the material, dismissed the appeal. It is also stated that the petitioner was born on 10.8.1971 as is evident from the birth certificate issued by the Head Master, Zilla Parishad High School,

Yellareddy. Several other factual details had also been narrated.

The writ Court cannot go into those factual details at this stage. Even otherwise, the petitioner is having a remedy by way of Election Petition and he can as well raise all his contentions raised in this petition before the Election Tribunal.

With the above observation, the writ petition is disposed of. No order as to costs.

P.S. NARAYANA, J

Dated: 1st AUGUST 2006

Note: CC in two days
(BO)
BSS/MDAA